

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – June 6, 2013
City Hall, Common Council Committee Room 301-A

MINUTES

PRESENT:

Chairwoman: Catherine M. Doyle (*voting on items 1 – 53*)

Members: Henry P. Szymanski (*voting on items 1 – 46, 48 – 53*)
Donald Jackson (*voting on items 1 – 53*)
Martin E. Kohler (*Excused*)
Jose L. Dominguez (*voting on items 1 – 53*)

Alt. Board Members: Karen D. Dardy (*voting on items 1 – 28, 30 – 51, 53*)

START TIME: 2:05 p.m.

END TIME: 7:00 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	32255 Special Use	Learning Bug LLC Devon Schmidt; Lessee Request to increase the number of children from 28 to 65 per shift and to continue occupying the premises as a day care center for children infant to 14 years of age, operating Monday - Friday 6:30 a.m. - 6:00 p.m.	3090 N. 53rd St. A/K/A 5225 W. Burleigh St. 10th Dist.
Action:		Dismissed	
Motion:		Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
Vote:		4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
Conditions of Approval:		--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
2	31987 Special Use	Danielle Holt Lessee Request to occupy a portion of the premises as a day care center for 20 children per shift infant to 12 years of age operating Monday - Saturday 6:30 a.m. - 6:30 p.m.	2685 S. 9th Pl. A/K/A 2685 A S. 9th Pl. 14th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
3	32466 Special Use	Keith B Terry Property Owner Request to occupy the premises as an assembly hall.	3041 W. North Av. 15th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
4	32140 Use Variance	James Ringwell Property Owner	3312 W. Greenfield Av. 8th Dist.
		Request to continue occupying the premises as a motor vehicle repair facility (this is a new operator).	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board be fully complied with and maintained. 4. That no work on or storage of vehicles occurs in the public right-of-way. 5. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 6. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 7. That all repair work is conducted inside the building. 8. That this Use Variance is granted for a period of time commencing with the date hereof, and expiring on December 8, 2016. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
5	32470 Special Use	Abdul Motlani Property Owner	3604 W. Lincoln Av. A/K/A 3614 W. Lincoln Av. 8th Dist.
		Request to construct an addition and to continue occupying the premises as a motor vehicle repair facility .	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 6. That the petitioner shall maintain landscaping and screening in accordance with the landscape plan submitted to the Board of Zoning Appeals on August 9, 2003. 7. That no work on or storage of vehicles occurs in the public right-of-way. 8. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Factory F-2 occupancies and complies with all zoning conditions and building code requirements prior to occupancy of addition. 9. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 11. That all repair work is conducted inside the building. 12. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
6	32483 Use Variance	<p>Fernando Castellanos Lessee</p> <p>Request to continue occupying the premises as a motor vehicle repair facility (this is a new operator).</p> <p>Action: Granted 3 yrs.</p> <p>Motion: Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code. 5. That landscaping must be maintained in a manner that meets the intent of City Code. 6. That all installation and testing audio equipment and alarm systems must be conducted inside the building with overhead doors closed and at minimum amplification, and that customers are not permitted to test alarms or audio equipment on-site unless the tests are conducted inside the building with the doors closed and at minimum amplification. 7. That no work on or storage of vehicles occurs in the public right-of-way. 8. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 10. That all repair work is conducted inside the building. 11. That this Use Variance is granted for a period of three (3) years, commencing with the date hereof. 	<p>4115 W. Greenfield Av. A/K/A 4125 W. Greenfield Av. 8th Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
7	32490 Special Use	<p>Stacey L Deveraux Lessee</p> <p>Request to continue occupying the premises as a day care center for 38 children per shift infant to 13 years of age, operating Monday - Friday 6:00 a.m. - 11:00 p.m. and Saturday 7:00 a.m. - 4:00 p.m.</p> <p>Action: Adjourned</p> <p>Motion: This matter has been adjourned at the request of an interested party and will be rescheduled for the next available hearing.</p> <p>Vote: --</p> <p>Conditions of Approval: --</p>	<p>2842 W. Forest Home Av. A/K/A 2844 W. Forest Home Av. 8th Dist.</p>
8	32506 Special Use	<p>Rajesh Kumar Property Owner</p> <p>Request to continue occupying the premises as a motor vehicle filling station.</p> <p>Action: Adjourned</p> <p>Motion: This matter has been adjourned at the request of an interested party and will be rescheduled for the next available hearing.</p> <p>Vote: --</p> <p>Conditions of Approval: --</p>	<p>7110 W. Lisbon Av. 10th Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
9	32517 Special Use	Double E Automotive Supply, Inc. DBA Kar Kare Service Center; Gary Driss; Lessee	6201 W. Blue Mound Rd. A/K/A 6205 W. Blue Mound Rd. 10th Dist.
		Request to continue occupying the premises as a motor vehicle sales and repair facility.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board be fully complied with and maintained.</p> <p>4. That landscaping and screening is maintained in a manner that meets the intent of City Code.</p> <p>5. That signage must conform to the sign standards of s.295-605-5 of the Milwaukee Zoning Code.</p> <p>6. That no work on or storage of vehicles occurs in the public right-of-way.</p> <p>7. That no sales vehicles are displayed in the public right-of-way.</p> <p>8. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</p> <p>9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>10. That all repair work is conducted inside the building.</p> <p>11. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
10	32416 Dimensional Variance	Iglesia del Dios Vivo Property Owner Request to erect an automatic changeable message sign that exceeds the maximum allowed sign area (allowed 25 sq.ft. / proposed 30 sq.ft.).	1570 W. Greenfield Av. A/K/A 1572 W. Greenfield Av. 12th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board be fully complied with and maintained. 4. That the sign comply with the signage regulations of s.295-407-3-c of the Milwaukee Zoning code. Specifically that the display area may be changed not more frequently than once every 30 seconds. 5. That this Dimensional Variance be granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
11	32491 Special Use	<p>Tejinder P Singh Lessee</p> <p>Request to continue occupying the premises as a motor vehicle filling station and car wash.</p> <p>Action: Granted 10 yrs.</p> <p>Motion: Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board be fully complied with and maintained. 4. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That landscaping and screening is maintained in a manner that meets the intent of city code. 6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 7. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by s.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises. 8. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s.84-7 of the Milwaukee Code of Ordinances. 9. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 10. That the applicant does not have outdoor storage or display of products or merchandise. 11. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 12. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	<p>1645 W. Forest Home Av. A/K/A 1981 S. 16th St. 12th Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
12	32520 Special Use	El Charrito Gustavo Salavar; Lessee Request to continue occupying the premises as a catering service (this is a new operator).	1338 W. Scott St. A/K/A 1134 S. 14th St. 2 12th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 5. That the storefront windows remain as transparent vision glass and are maintained in an attractive manner. 6. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
13	32521 Special Use	Edith Rodriguez Lessee Request to occupy the premises as a second-hand sales facility.	1724 W. Lincoln Av. A/K/A 2272 S. 18th St. B 12th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the storefront windows remain as transparent glass in accordance with the glazing standards of s.295-605-2-i-3 of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 6. That the applicant does not have outdoor storage or display of products or merchandise. 7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 8. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Mercantile M occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 9. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
14	32487 Special Use	Richard Rogers Property Owner	4820 W. Lisbon Av. 15th Dist.
		Request to continue occupying the premises as a social service facility.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
15	32516 Special Use	Asia S Connor Lessee Request to continue occupying the premises as a 24 hour day care center for 19 children per shift infant to 12 years of age, operating Monday - Friday (this is a new operator).	4429 W. North Av. A/K/A 2244 N. 45th St. 15th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That the storefront windows remain as transparent glass per s.295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 7. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use. 8. That the storefront windows remain as transparent glass per s.295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 9. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Institutional I-4 occupancies and complies with all zoning conditions and building code requirements. 10. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
16	32528 Special Use	Jo's Day Care Academy Schnell Price; Property Owner Request to add a K4 school for 32 children operating Monday - Friday 9:00 a.m. - 3:30 p.m. and to continue occupying the premises as a day care center for 151 children per shift infant to 12 years of age, operating Monday - Sunday 6:00 a.m. - 7:00 p.m.	4801 W. North Av. A/K/A 2245 N. 48th St. 15th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. 6. That landscaping and screening is maintained in a manner that meets the intent of city code. 7. That the storefront windows remain as transparent glass per s.295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 8. That warning, parking and other regulatory signage associated with traffic control in school zones be installed as required. 9. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Educational E occupancies and complies with all zoning conditions and building. 10. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
17	32438 Special Use	Gurden Singh Property Owner	5208 N. Teutonia Av. 1st Dist.
		Request to continue occupying the premises as a motor vehicle filling station.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board be fully complied with and maintained. 4. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That landscaping and screening is maintained in a manner that meets the intent of city code. 6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 7. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by s.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises. 8. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s.84-7 of the Milwaukee Code of Ordinances. 9. That the applicant does not have outdoor storage or display of products or merchandise. 10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 11. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
18	32472 Special Use	Patricia Metcalf Lessee Request to occupy the premises as an indoor recreation facility and a second-hand sales facility.	5140 N. Teutonia Av. 1st Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of an interested party and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
19	32534 Special Use	Cassandra Holley Ent., Inc. dba Dreamland Child Care; Lessee Request to continue occupying the premises as a day care center for 220 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 1:00 a.m.	6205 N. Teutonia Av. A/K/A 6231 N. Teutonia Av. 1st Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</p> <p>6. That the petitioner submit a copy of the State of Wisconsin day care license to BOZA within 60 days of Board approval of the special use.</p> <p>7. That a contact name and phone number be provided to the Board office within 30 days of the issuance of this written decision. The phone number must be available 24 hours a day.</p> <p>8. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Educational E occupancies and complies with all zoning conditions and building code requirements.</p> <p>9. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
20	32536 Special Use	New Life Academy of Learning Terrell H. Cistrunk; Property Owner	3410 W. Silver Spring Dr. 1st Dist.
		Request to continue occupying the premises as a day care center for 67 children per shift infant to 12 years of age, operating Monday -Friday 6:00 a.m. - 6:30 p.m.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That the outdoor play area is not utilized before 9:00 A.M.</p> <p>6. That the petitioner submit a copy of the State of Wisconsin day care license to BOZA within 60 days of Board approval of the special use.</p> <p>7. That a contact name and phone number be provided to the Board office within 30 days of the issuance of this written decision. The phone number must be available 24 hours a day.</p> <p>8. That the facility does not exceed 67 children on-site at any one time in accordance with the capacity established by the State Department of Children and Families.</p> <p>9. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
21	32478 Special Use	<p>Kenyatta Johnson Property Owner</p> <p>Request to continue occupying the premises as a day care center for 50 children per shift infant to 12 years of age, operating Monday - Friday 6:30 a.m. - 11:00 p.m.</p>	<p>6107 W. Leon Tr. A/K/A 6107 W. Leon Tr. 3 2nd Dist.</p>
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code.</p> <p>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</p> <p>6. That the petitioner submit a copy of the State of Wisconsin day care license to BOZA within 60 days of Board approval of the special use.</p> <p>7. That a contact name and phone number be provided to the Board office within 30 days of the issuance of this written decision. The phone number must be available 24 hours a day.</p> <p>8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
22	32546 Special Use	TSRH North, LLC Kyle Schuhmacher & Eric Tresslar, Owners; Prospective Buyer	1659 N. Farwell Av. A/K/A 1661 N. Farwell Av. 3rd Dist.
		Request to occupy the premises as a second-hand sales facility.	
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of an interested party and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	
23	32537 Dimensional Variance	DiCarlo Salon, LLC Michael Goedheer; Lessee	767 N. Water St. 100 A/K/A 767 N. Water St. 301 4th Dist.
		Request to erect an awning sign that exceeds the maximum allowed height (allowed 12 in. / proposed 32 in.).	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackon.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board be fully complied with and maintained. 4. That this Dimensional Variance is granted to run with the land.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
24	32475 Special Use	<p>Marilyn Simms Lessee</p> <p>Request to continue occupying the premises as a day care center for 80 children per shift infant to 12 years of age, operating Monday - Sunday 6:00 a.m. to 8:00 p.m.</p> <p>Action: Granted 10 yrs.</p> <p>Motion: Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board be fully complied with and maintained. 4. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 5. That the petitioner submit a copy of the State of Wisconsin day care license to BOZA within 60 days of Board approval of the special use. 6. That a contact name and phone number be provided to the Board office within 30 days of the issuance of this written decision. The phone number must be available 24 hours a day. 7. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Institutional I-4 occupancies and complies with all zoning conditions and building code requirements. 8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	<p>2939 W. Kilbourn Av. A/K/A 2933 W. Kilbourn Av. 4th Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
25	32496 Use Variance	SAC 3321 LLC Property Owner	3321 N. 76th St. 5th Dist.
		Request to occupy the premises as a general office.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code.</p> <p>5. That this Use Variance is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
26	32511 Special Use	Diverse and Resilient, Inc. Gary Hollander; Lessee Request to continue occupying the premises as a social service facility (this is a new operator).	2439 N. Holton St. A/K/A 2437 N. Holton St. 6th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the storefront windows remain as transparent vision glass and are maintained in an attractive manner. 6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
27	32519 Special Use	Gamdoor S. Sangha Parminder S. Kler; Lessee Request to continue occupying the premises as a motor vehicle filling station. Action: Granted 10 yrs. Motion: Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson. Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 6. That the petitioner shall maintain landscaping and screening in accordance with the landscape plan submitted to the Board of Zoning Appeals on June 16, 2003. 7. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 8. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by s.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises. 9. That the applicant does not have outdoor storage or display of products or merchandise. 10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 11. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	122 W. Capitol Dr. 6th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
28	32527 Special Use	Helen Wilson Property Owner Request to continue occupying the premises as a group home for 5 occupants. Action: Granted 10 yrs. Motion: Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson. Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied 4. That the applicant submit a contact name and number, within 10 days, that can be directly reached 24 hours a day and 7 days a week to all interested parties, including but not limited to, the Alderman of the District, the Board of Zoning Appeals, and the Department of Neighborhood Services. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	2825 N. Buffum St. 6th Dist.
29	32426 Special Use	N.O.S. Motorsports Club Alea Benston; Lessee Request to occupy a portion of the premises as an assembly hall. Action: Denied Motion: Donald Jackson moved to deny the appeal. Seconded by Jose Dominguez. Vote: 3 Ayes, 0 Nays, 1 C. Doyle Abstained. Conditions of Approval: --	2342 W. North Av. A/K/A 2100 W. North Av. 15th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
30	32484 Special Use	Feras Rahman Lessee	2300 W. Lincoln Av. 8th Dist.
		Request to continue occupying the premises as a motor vehicle sales facility.	
	Action:	Granted 1 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 6. That within 60 days of Board approval of the special use landscaping is upgraded in order to be in compliance with the landscape plan submitted to the Board on November 10, 2008. Specifically that additional shrubs are planted along the W. Oklahoma and S. 23rd St. planting strips. 7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 8. That no sales vehicles are displayed in the public right-of-way. 9. That no work on or storage of vehicles occurs in the public right-of-way. 10. That parked vehicles not block the driveway approaches. 11. That there be no more than 10 vehicles parked on site at any time. 12. That this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
31	32510 Special Use	<p>The Salvation Army Property Owner</p> <p>Request to continue occupying the premises as a social service facility.</p> <p>Action: Granted 10 yrs.</p> <p>Motion: Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code. 5. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Business B occupancies and complies with all zoning conditions and building code requirements. 6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	<p>5880 N. 60th St. A/K/A 5888 N. 60th St. 9th Dist.</p>
32	32531 Special Use	<p>Joey McPhan Lessee</p> <p>Request to occupy the premises as a second-hand sales facility.</p> <p>Action: Adjourned</p> <p>Motion: This matter has been adjourned at the request of the Alderman of the District and will be rescheduled for the next available hearing.</p> <p>Vote: --</p> <p>Conditions of Approval: --</p>	<p>5619 W. North Av. A/K/A 5611 W. North Av. 10th Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
33	32518 Special Use	M.G. Land Development LLC Martin Gulczynski; Property Owner Request to occupy a portion of the premises as a restaurant with a drive-through.	5121 W. Howard Av. A/K/A 5121 W. Howard Av. 1 11th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That within 60 days of Board approval of the special use the petitioner agrees to work with the Zoning Administration Group staff to evaluate the potential to make aesthetic improvements such as landscaping to the premises. The Zoning Administration Group staff may require that a landscape plan that attempts to meet the intent of City code be submitted and implemented.</p> <p>6. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Assembly A-2 occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
34	32514 Special Use	Saint Paul Church Anthony Lockett; Lessee Request to occupy the premises as a religious assembly hall.	3100 S. 37th St. A/K/A 3635 W. Oklahoma Av. 11th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the storefront windows remain as transparent glass per s.295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 6. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Business B occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 7. That the capacity of the church be limited to no more than 49 persons for a group B Business occupancy. 8. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
35	32382 Special Use	Jose Rios Rodriguez Lessee Request to occupy the premises as a religious assembly hall.	3500 W. Oklahoma Av. A/K/A 3508 W. Oklahoma Av. 11th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the storefront windows remain as transparent glass per s.295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 6. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Assembly A-3 occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 7. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
36	32461 Special Use	Academy of Excellence Lessee Request to add a day care center for 60 children 2 1/2 - 5 years of age, operating Monday - Friday 7:00 a.m. - 5:00 p.m. and to increase the number of students from 180 to 400 K5 - 8th grades and expand the existing school operating Monday - Friday 8:00 a.m. - 5:00 p.m.	1236 W. Pierce St. A/K/A 633 S. 12th St. 12th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
37	32182 Special Use	Michael J Patton Lessee Request to occupy the premises as an assembly hall (operated in conjunction with a permitted tavern on site).	3000 S. 13th St. A/K/A 1231 W. Manitoba St. 14th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
38	32544 Dimensional Variance	Julie Mennen & Dale Kellison Property Owner Request to construct a garage in the front yard of the premises.	2713 S. Austin St. 14th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board be fully complied with and maintained. 4. That no habitable space be constructed in the garage. All areas are to be designated for vehicle uses or storage only. 5. That this Dimensional Variance be granted to run with the land.	
39	32401 Special Use	Club Kids Inc. Lessee Request to continue occupying the premises as a second-hand sales facility (this is a new operator).	4422 W. North Av. A/K/A 4420 W. North Av. 15th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
40	32405 Special Use	Cobra Auto & Cycle Repairs, Inc. Willie Weeks; Property Owner Request to occupy a portion of the premises as a motor vehicle repair facility.	1819 W. North . 2 A/K/A 1819 W. North Av. 15th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
41	32495 Use Variance	The Power of God Church Ministries Daughters of the Father Christian Academy; Lessee Request to continue occupying a portion of the premises as a religious assembly hall and to continue to allow the expanded hours of the existing school.	3712 W. Lancaster Av. A/K/A 3734 W. Lancaster Av. 1st Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
42	32509 Dimensional Variance/ Special Use	Michael M Gilerovich Lessee Request to occupy the premises as an indoor salvage operation and to erect a fence that exceeds the maximum allowed height (allowed 9 ft. / proposed 10-12 ft.).	6440 N. 40th St. 1st Dist.
	Action:	Granted 1 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board be fully complied with and maintained.</p> <p>4. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Storage S-1 occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>5. That all fences be installed with a fence permit.</p> <p>6. That this Dimensional Variance is granted to run with the land.</p> <p>7. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	32525 Dimensional Variance	Georgetown LLC Robert Joseph; Property Owner Request to construct a permitted residential addition that does not meet the minimum required primary street frontage build-out (required 75% / proposed 58%).	2217 N. Prospect Av. A/K/A 2239 N. Prospect Av. 3rd Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board be fully complied with and maintained. 4. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code and complies with all zoning conditions and building code requirements prior to occupancy. 5. That this Dimensional Variance be granted to run with the land.	
44	32377 Special Use	James Burke Lessee Request to occupy the premises as a light manufacturing facility.	444 A N. 30th St. A/K/A 446 N. 30th St. 4th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
45	32485 Special Use	Interstate Parking Company LLC Lessee Request to occupy the premises as a parking lot.	601 W. State St. A/K/A 929 N. 6th St. 4th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board be fully complied with and maintained.</p> <p>4. That landscaping and screening is maintained in a manner that meets the intent of city code.</p> <p>5. That signage must meet the signage standards of s.295-705-7 of the Milwaukee Zoning Code. Specifically that the base of the sign shall be at least as wide as the display area.</p> <p>6. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>7. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</p>	
46	32492 Special Use	Amanda James King Park Investments; Lessee Request to occupy the premises as a day care center for 36 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 6:00 p.m. and Saturday 10:00 a.m. - 5:00 p.m.	1401 W. Juneau Av. A/K/A 1403 W. Juneau Av. 4th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Karen Dardy.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
47	32494 Use Variance/ Special Use/ Dimensional Variance	Bradley Center Sports & Entertainment Corp. Attn: Steve Costello; Property Owner Request to allow two banner signs and occupy a portion of the premises as a parking lot that does not meet the minimum required landscaping.	1111 N. 4th St. A/K/A 1123 N. 4th St. 4th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	3 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board be fully complied with and maintained. 4. That this Use Variance, Special Use and Dimensional Variance are granted for a period of two (2) years, commencing with the date hereof.	
48	32504 Dimensional Variance	Carl R Munson Property Owner Request to construct a garage in the front yard of the premises.	5962 N. Lovers Lane Rd. 5th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
49	32253 Use Variance	<p>Sonya Robinson Lessee</p> <p>Request to occupy the premises as a day care center for 50 children per shift infant to 12 years of age, operating Monday - Saturday 6:00 a.m. - midnight.</p> <p>Action: Granted 3 yrs.</p> <p>Motion: Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That the petitioner submit a copy of the State of Wisconsin day care license to BOZA within 60 days of State issuance of the license. 7. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 8. That the storefront windows remain as transparent glass per s.295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 9. That the petitioner submit a site plan to the Board that includes an outdoor play area that meets the play area size requirements of the State of Wisconsin Department of Children and Families. 10. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Institutional I-4 occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 11. That the facility does not exceed a capacity of 31 children, or does not exceed the capacity established by the State Department of Children and Families if required to be less than 31 children. 12. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	<p>3700 N. Teutonia Av. A/K/A 1950 W. Nash St. 6th Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
50	32454 Dimensional Variance	Popeye's Restaurant Property Owner Request to erect a freestanding sign that exceeds the maximum allowed area (allowed 32 sq.ft. / proposed 50 sq.ft.).	207 E. Capitol Dr. A/K/A 201 E. Capitol Dr. 6th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board be fully complied with and maintained. 4. That this Dimensional Variance is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
51	32439 Special Use	<p>NU2U Appliances Lessee</p> <p>Request to occupy a portion of the premises as a second-hand sales facility.</p> <p>Action: Granted 2 yrs.</p> <p>Motion: Henry Szymanski moved to grant the appeal. Seconded by Jose Dominguez.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the storefront windows remain as transparent glass per s.295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 6. That the applicant does not have outdoor storage or display of products or merchandise. 7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 8. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Mercantile - M occupancies and complies with all zoning conditions and building code requirements. 9. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	<p>5017 W. Capitol Dr. A/K/A 5007 W. Fond Du Lac Av. 7th Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
52	32387 Special Use	Christine M Clark Lessee Request to increase the number of children from 39 to 40 per shift and to increase the hours of operation from 6:30 a.m. - 5:30 p.m. to 6:00 a.m. - 11:00 p.m. and to continue occupying the premises as a day care center for children infant to 13 years of age operating Monday - Friday (this is a new operator).	2972 N. 49th St. A/K/A 2974 N. 49th St. 7th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	3 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That the petitioner submit a copy of the State of Wisconsin day care license to BOZA within 60 days of State issuance of the license. 7. That a contact name and phone number be provided to the Board office within 30 days of the issuance of this written decision. The phone number must be available 24 hours a day. 8. That a loading zone be obtained and maintained on North 49th Street. 9. That the petitioner obtains a new occupancy certificate to account for the increased number of children by having all required inspections, and complies with all zoning conditions and building code requirements prior to occupancy. 10. That the facility does not exceed a capacity of 40 children, or does not exceed the capacity established by the State Department of Children and Families if required to be less than 40 children. 11. That this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
53	32515 Use Variance	Sharon's Little Crumb Snatchers CDC, LLC Lessee Request to increase the hours of operation from Monday - Friday 6:00 a.m. - 6:00 p.m. to Monday - Saturday 6:00 a.m. - 10:00 p.m. for the Board approved day care center for 49 children per shift infant to 12 years of age. Action: Granted Motion: Henry Szymanski moved to grant the appeal. Seconded by Jose Dominguez. Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained. Conditions of Approval: <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license. 6. That the storefront windows remain as transparent glass per s.295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 7. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 8. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on April 24, 2015. 	4128 W. Burleigh St. A/K/A 4130 W. Burleigh St. 7th Dist.

<u>Item</u> <u>No.</u>	<u>Case No./</u> <u>Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
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Other Business:

Board member Donald Jackson moved to approve the minutes of the May 16, 2013 meeting. Seconded by Board member Jose Dominguez. Unanimously approved.

The Board set the next meeting for June 27, 2013.

Board member Donald Jackson moved to adjourn the meeting at 7:00 p.m.. Seconded by Board member Jose Dominguez. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board

<u>Item</u> <u>No.</u>	<u>Case No./</u> <u>Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
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